

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TERRY GORDON, AKM042,

Plaintiff,

v.

SANTA RITA JAIL MEDICAL STAFF,

Defendant(s).

Case No. [21-cv-03885-CRB](#) (PR)

**ORDER OF DISMISSAL**


On December 8, 2021, the court (Koh, J.) dismissed plaintiff's pro se prisoner complaint under 42 U.S.C. § 1983 with leave to amend to allege sufficient facts to state purported claims of retaliation and deliberate indifference to serious medical needs and link them to a properly named defendant, if possible. ECF No. 6. The court warned plaintiff that "[f]ailure to file an amended complaint within thirty-five days and in accordance with this order will result in a finding that further leave to amend would be futile, and this action will be dismissed." Id. at 7-8 (emphasis in original).

More than 40 days have elapsed since the court's December 8, 2021 order of dismissal with leave to amend but plaintiff has neither filed an amended complaint nor sought an extension of time to do so. This action accordingly is DISMISSED without prejudice.

The clerk is instructed to close the case.

**IT IS SO ORDERED.**

Dated: January 18, 2022

  
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CHARLES R. BREYER  
United States District Judge